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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SWEED,

Defendant.

CASE NO. 2:20-CR-00087-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 7, 2020
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 7, 2020.
2. By this stipulation, defendant now moves to continue the status conference until February 22, 2021 at 9:00 a.m., and to exclude time between December 7, 2020, and February 22, 2021 at 9:00 a.m., under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes multiple reports and several hundred photographs. This discovery has been produced directly to counsel.
 - b) Counsel for defendant desires additional time to review discovery, conduct

1 independent factual investigation, meet with his client to discuss resolution alternatives and case
2 strategy, and otherwise prepare for trial

3 c) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him/her the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of December 7, 2020 to February 22,
12 2021 at 9:00 a.m., inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv)
13 [Local Code T4] because it results from a continuance granted by the Court at defendant's
14 request on the basis of the Court's finding that the ends of justice served by taking such action
15 outweigh the best interest of the public and the defendant in a speedy trial.

16 **[CONTINUED ON NEXT PAGE]**

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 2, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ CAMERON L. DESMOND
CAMERON L. DESMOND
Assistant United States Attorney


Dated: December 2, 2020

/s/ Mark Reichel
Mark Reichel
Counsel for Defendant
SCOTT SWEED

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: December 2, 2020


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE